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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/813,831 | 03/31/2004 | Hong-Da Liu | 25313-1030 | 5076 |

24504 7590 12/29/2005

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EXAMINER

CRANSON JR, JAMES W

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2875

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/813,831

Applicant(s)

LIU, HONG-DA

Examiner

James W. Cranson

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 2,5-9,12,13 and 16-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,4,10,14 and 15 is/are rejected.
- 7) ☒ Claim(s) 11 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Election/Restrictions

Applicant's election without traverse on 11/29/2005 to the restriction requirement for an election of species in the Office Action filed on 11/08/05 is acknowledged. Applicant elected Species V (figs. 12 and 13), on which claims 1,3,4,10,11,14, and 15 are readable. Claims 1 and 10 are generic. Claims 2,5-9,12,13 and 16-20 are withdrawn from consideration, directed to non-elected species.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, line 3 of claim 1 recites "wherein the full-reflective face reflects light onto the incident end face " which does not agree with the specification page 7, lines 23-27. " The full-reflective faces opposite to the emitting face 322 reflect the incident light received by the incident end face 321 from the light source 31 and direct it to the emitting face 322 for emission from the light guide plate 32."

Claims 3 and 4 depend from claim 1 and are rejected for the same reason.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 3 and 4 are rejected under 35 U.S.C. 102(b) as being anticipated by USPN 6,152,570 to Yokoyama.

Yokoyama discloses a surface light source device that comprises a light guide plate having incident face, emitting face, full-reflective face and light adjustors with density discontinuously varied to provide discontinuous light intensity.

Regarding claim 1:

Yokoyama discloses a surface light source device (figure 3,1), comprising a light guide plate(2)having an incident end face(figure 3 not labeled), an emitting face(figure 3 not labeled) at least one full-reflective face (4),and a plurality of light adjusters (column 12, lines 49-61 and in particular figures 4d and 4e) wherein the full-reflective face reflects light onto the incident end face for direction to the emitting face and transmission through the light guide plate(2), the light adjusters (column 12, lines 49-61 and in particular figures 4d and 4e) disposed in the light guide plate(2) with a density discontinuously varied in at least one area of the light

guide plate to adjust the reflected light collection for(column 15, lines 45-57) emission from different areas of the emitting face to provide discontinuous light intensity; a light source (3) disposed in the vicinity of the incident end face of the light guide plate (2) to provide light onto the incident end face (figure 3 not labeled)of the light guide plate (2).

Regarding claim 3, according to claim 1:

Yokoyama discloses that the light adjustors are diffusers.

Regarding claim 4, according to claim 1:

Yokoyama discloses that the light adjustors are micro-prisms.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 10, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 5,618,096 to Parker et al.

Parker discloses a flat panel display with at least two display areas, surface light source, plural light adjusters, a full-reflective face and a light source. Parker does not state that the least two display areas are of different light transmittivity.

Regarding claim 10:

A flat panel display (32) comprising at least two display areas (34), light guide plate (33) a light source (3), plate has incident face (unlabeled), emitting face (unlabeled), full-reflective face (35, column 6, lines 59-63) and plural light adjusters (21, figure 4a) wherein full-reflective face reflects incident light to emitting face (column 6, lines 9-16) and light adjusters adjust reflected light (column 5, lines 56-67,column 6, lines 1-8). It would have been obvious to one of ordinary skill in the art at the time of invention to provide the two display areas of Parker with different levels of light transmittivity because Parker states disruptions may be provided in selected areas as desired (column 4, lines 28-45).

Regarding claim 14, according to claim 10:

Parker et al. discloses that the light adjustors are diffusers.

Regarding claim 15, according to claim 10:

Parker et al. discloses that the light adjustors are micro-prisms.

Allowable Subject Matter

Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 11, according to claim 10, adds that a semi-transmissive area has one more semi-reflective layer than transmissive area. This combination of limitations is not disclosed or taught in the art of record.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure are US 6,079,838 and US 5,613,751 to Parker et al., US 6,629,772 to Brunfeld, US 5,099,343 to Margerum et al., US 5,899,552 to Yokoyama et al., and US 4,811,507 to Blanchet .

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James W. Cranson whose telephone number is 571-272-2368. The examiner can normally be reached on Mon-Fri 8:30A.M.- 5:00P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandy O'Shea can be reached on 571-272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




ALAN CARIASO
PRIMARY EXAMINER